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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NOORI, MAX H

ART UNIT

PAPER NUMBER

2855

DATE MAILED: 04/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/904,169

Applicant(s)

KOTOWSKI ET AL.

Examiner

Max Noori

Art Unit

2855

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-27 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7 and 9-11 is/are rejected.
- 7) ☒ Claim(s) 5, 8 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 7, and 9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Baker et al.

Regarding claims 1, 7, 9, Baker et al., discloses an automated laminography system for inspection of objects with features of the claimed invention including an x-ray image provider (co. 33, lines 9 or 45), at least one screen station (col. 33, line 14), a data storage (for example see col. 18, line 55), a processor for associated computer processing (see, for example, col. 21, line 66), and a network coupling for related data networking (see, for example, col. 21, line 56).

Regarding claim 10, it appears the any storage medium consists of the same group.

*Claim Rejections - 35 USC § 103*

4. Claims 2-4, 6, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al., in view of Krug et al., U.S. Patent Number 5,838,758.

Regarding claims 2-4, Baker discloses an X-ray inspection system teaching or suggesting features of the claimed invention. Baker et al., does not specifically recite the use of an alarm signal generator. Although such provision in inspecting system is only a matter of an alternative design expedience, but it is well known in the art. Krug et al., for example is presented to show such arrangement. Krug et al., discloses a baggage inspection device using X-ray, teaching the use of an alarm, and its associated circuitry (see, for example claim 19). It would have been obvious, therefore, to one having ordinary skill in the art at the time the invention was made to modify Baker et al., using teaching of Krug et al., to provide for an alarm to the inspection system for announcing and indicating of an unwanted situation.

Regarding claims 6 and 11, the use of some kind of annotation instrument is a necessity for input/output put, and it appears the any annotation instrument consists of the same group. Nevertheless, Krug et al., discloses the use of related instrument (col. 6, lines 55-56).

5. Claims 5, 8 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 13-27 are allowed over the prior art of the record.

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*Allowable Subject Matter*

7. The following is an Examiner's Statement of Reasons for Allowance: The primary reason for allowance of the claims 13-27 is that prior art neither teach nor fairly suggest the particular combination of the image display storage and retrieval system as presented in the independent claims 13 and 23. Major emphasis is being placed upon the provision of a specific "parcel pass switch" in combination with other limitations of the said independent claims and their dependent ones.


8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Max H. Noori whose telephone number is (703) 308-5248. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956. The fax number for this group is (703) 308-7382.

MHN

Saturday, April 12, 2003

  
MAX NOORI  
PRIMARY EXAMINER